

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)

Case No. 3:23-md-3071
MDL No. 3071

Judge Waverly D. Crenshaw, Jr.

This document Relates to:
Navarro v. RealPage, Inc., et al.,
No.3:23-cv-00329

**PLAINTIFFS' [PROPOSED] ORDER TO APPOINT INTERIM LEAD COUNSEL AND
LIAISON COUNSEL ON BEHALF OF STUDENT RENTAL PLAINTIFFS**

WHEREAS, on April 12, 2023, the United States Judicial Panel on Multidistrict Litigation (“JPML”) transferred this case, along with all related actions pending outside the Middle District of Tennessee, for coordinated or consolidated pretrial proceedings before this Court. ECF No. 1;

WHEREAS, Plaintiffs in *Navarro v. RealPage, Inc., et al.*, No. 3:23-cv-00329 seek to represent a class or classes of student renters (the “Student Rental Plaintiffs”);

WHEREAS, on June 1, 2023, the Court issued an Order requesting applications for “Lead Counsel, Interim Class Counsel and/or Plaintiffs’ Steering Committee, as well as Plaintiffs’ and Defendants’ Liaison Counsel” and “reserving consideration of separate leadership counsel for the Student Rental case.” ECF No. 243;

WHEREAS, the Court has received submissions proposing leadership for the Student Rental case pursuant to its June 1, 2023 Order;

WHEREAS, appointment of Lead Counsel and Liaison Counsel will avoid duplication with the multifamily actions, save unnecessary costs, and will promote the efficient conduct of proceedings herein;

NOW, THEREFORE, THE COURT ORDERS:

The appointment of leadership for the proposed Student Rental Plaintiffs is appropriate. The Court has carefully reviewed the submissions and makes the following designations, pursuant to Federal Rule of Civil Procedure 23(g)(3):

- Hagens Berman Sobol Shapiro, LLP shall be Lead Counsel; and
- Stranch, Jennings & Garvey, PLLC shall be Liaison Counsel.

The Court finds that the criteria for appointment of interim class counsel under Rule 23(g) are satisfied. Counsel will fairly and adequately represent the interests of the proposed classes; performed significant work to identify and investigate potential claims; have significant experience handling class action litigation, including complex antitrust cases; have knowledge of the applicable law; and have committed sufficient resources to represent the proposed classes. The Court concludes that these appointments will aid in achieving efficiency and economy in

what is likely to be expensive and complicated litigation, and that these appointments will enhance fairness to all parties concerned, as well as the proposed class.

Hagens Berman Sobol Shapiro LLP, shall have authority over the following matters on behalf of the proposed Student Rental Plaintiffs in the MDL:

- a. the initiation, response, scheduling, briefing, and argument of all motions;
- b. the scope, order, and conduct of all discovery proceedings;
- c. coordinating discovery and meetings with multifamily counsel;
- d. making such work assignments as among themselves and Liaison counsel as they may deem appropriate;
- e. collecting time and expense reports;
- f. the retention of experts;
- g. the designation of which attorneys shall appear at hearings and conferences with the Court;
- h. settlement negotiations and agreements with Defendants;
- i. allocating among counsel any award of attorney's fees and expenses; and,
- j. all other matters concerning the prosecution of the Consolidated Action.

Defendants' counsel may rely on all agreements made with Lead Counsel, and such agreements shall be binding on all Student Rental Plaintiffs.

IT IS SO ORDERED.

Dated this ____ day of June, 2023,

HON. WAVERLY D. CRENSHAW, JR.
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 6th day of June, 2023, pursuant to paragraph 9 of the Court's Practice and Procedures Notice entered April 19, 2023 (Dkt. No. 2), the foregoing document was electronically filed with the Clerk of Court and served by operation of the Court's electronic filing system upon all parties of record.

/s/ Steve W. Berman

Steve W. Berman